

## **REMARKS/ARGUMENTS**

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action.

In the Official Action, claims 1, 3-4, 9, 13-14, 16-17, 19 and 22-24 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over FURLONG et al. (U.S. Patent Application Publication No. 2003/0028621 A1) in view of PESSI et al. (U.S. Patent Application Publication No. 2004/0083291 A1). Claims 5 and 7 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over FURLONG in view of PESSI and LILLIE et al. (U.S. Patent Application No. 2004/0131042 A1). Claim 15 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over FURLONG in view of PESSI and LEI et al. (U.S. Patent Application No. 2004/0203664 A1). Claim 18 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over FURLONG in view of PESSI, and further in view of HIRI et al. (U.S. Patent No. 7,123,707 B1).

Upon entry of the amendment, independent claims 1, 13 and 16 have been amended. New claims 25-27 have been added. Claims 2, 6, 8, 10-12, and 20-21 were previously cancelled. Thus, claims 1, 3-5, 7, 9, 13-19, and 22-27 are currently pending for consideration by the Examiner.

Claims 1, 3-4, 9, 13-14, 16-17, 19 and 22-24 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over FURLONG in view of PESSI. Amended independent claims 1, 13 and 16 have each been amended to positively recite that based upon the preferred treatment dictated by the preferences of the session terminator, the session request is processed in one of at least four possible ways, including the session is initiated by accepting the session request, the session is rejected by rejecting the session request, the session is deferred by directing the session initiator to a message storage system, and the session is engaged in a dynamic information

collection mode. These claims further recite that when the session is engaged in a dynamic information collection mode that additional information is dynamically collected from the session initiator through an interactive voice response conversation.

The Official Action cited FURLONG's paragraphs [0030]-[0032] as disclosing how a session request is handled based upon the preferences of a session terminator. In these paragraphs, FURLONG discloses that subscriber preferences are used to either allow or deny subscriber access by individuals attempting to contact a subscriber. However, FURLONG fails to disclose the possible session outcome of deferring the session by directing the session initiator to a message storage system or the possible session outcome of engaging in a dynamic information collection mode. PESSI also fails to disclose these possible session outcomes as well.

Additionally, the "Remarks" section of the Official Action explicitly acknowledges that FURLONG only teaches two of the four possible outcomes, which are either accepting or denying the session, thereby implicitly acknowledging that FURLONG fails to disclose the possible outcomes of deferring the session and engaging in a dynamic information collection mode. However, the Official Action asserted that since Applicants' session request outcomes were claimed in the alternative, that only one claimed session outcome needed to be found. As discussed above, amended independent claims 1, 13, and 16 positively recite that there are at least four possible ways to process the session request, with each of the four processing paths being positively recited in an inclusive manner. Thus, the references applied in rejecting claims 1, 13, and 16 do not disclose, teach, or suggest, at least these features of the claims. Therefore, amended independent claims 1, 13, and 16 would not have been obvious to one of ordinary skill in the art at the time of the invention in view of the combination of FURLONG and PESSI.

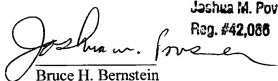
Claims 3-5, 7, 9, 14-15, 17-19, and 22-24 depend either directly or indirectly on one of the independent claims 1, 13, and 16, and are patentable for at least the reasons discussed above, and further for the additional features recited therein. Thus, Applicants respectfully request that the rejections of claims 1, 3-5, 7, 9, 13-19, and 22-24 under 35 U.S.C. § 103(a) be withdrawn.

New claims 25, 26, and 27, which depend on independent claims 1, 13, and 16, respectively, include further features regarding the outcome when the session request is engaged in a dynamic information collection mode. In particular, these claims recite that the additional information includes at least one of a session subject, a session urgency, and a session type, and that the additional information is then used to determine which one of at least three possible ways the session request is further processed, with each of the possible ways being recited in an inclusive manner. Thus, dependent claims 25, 26, and 27 are also patentable for at least the reasons discussed above with regard to independent claims 1, 13, and 16, and further for the additional patentable features recited therein.

Applicants note that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made by this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
Stephen Mark MUELLER et al.

 Joshua M. Povsner  
Reg. #42,088

Bruce H. Bernstein  
Reg. No. 29,027

April 27, 2009  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191